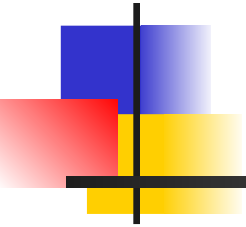
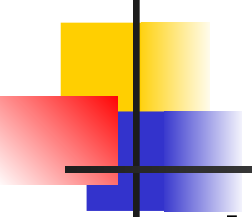


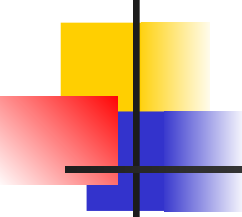
REGULATIONS & COMPENSATION





Federal Legislation

- Title 29, code of federal regulations, section 1910.95, occupational noise exposure (April 1983)
- Occupational safety and health administration (OSHA) regulates and monitors hearing conservation in industry. All programs must:
 - Limit noise exposure below 90dba
 - Monitor hearing of those above 85dba
 - Provide hearing protection above 85dba
- Hearing conservation programs must meet or exceed OSHA guidelines. Most DoD regulations are far more stringent.
- **Military unique & combat operations are exempt.**



Federal Legislation

- **Title 29, Code of Federal Regulations, Part 1904, Occupational Injury and Illness Recording and Reporting Requirements (July 2002):**
 - **Specifies hearing loss reportable on OSHA log (for civilians) when STS results in average loss at 2, 3, and 4k Hz that meets or exceeds 25dB.**
 - **Mandatory, effective 01 January 2004.**

DODI 6055.12 DoD Hearing Conservation Program

- **Department of Defense (DoD) instruction which applies to tri-service secretariat level. Each Service must meet these guidelines and develop service-specific procedures and regulations.**
- **DoD policy is to protect personnel from occupational HL through comprehensive HCP's.**
- **Mandates that each service meet minimum guidelines & develop service-specific regulations.**



DODI 6055.12

- Applies to all military and civilian personnel and operations world-wide.
- Provides basic suggestions for program elements, but does not provide specifics. However, the service-specific regulations must be at least as stringent



Army Hearing Conservation Regulations

DA PAM 40-501



- Implements Army Hearing Conservation Program
- Specific to soldiers and civilian employees on Army installations and during Army activities
- Includes requirements for the Army HCP
- Delineates responsibilities for each person in the HCP process
- Discusses HL reporting information
- Program manager is at CHPPM (Center for Health Promotion and Preventive Medicine, Aberdeen MD)



Air Force Hearing Conservation Regulations

AFOSH Standard 161-20 Series

- **Currently under revision & will become AFI 48-20**
- **Implements Air Force Hearing Conservation Program**
- **Specific to Airmen and civilian employees on USAF installations and during USAF activities**
- **Headquarters in San Antonio TX at the USAF School of Aerospace Medicine**

Navy and Marine Corps Hearing Conservation Regulations

OPNAVINST 5100.23 series (NAVOSH Ashore)

- Covers all aspects of occupational health & safety in the workplace



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Navy and Marine Corps Instructions (cont.)

OPNAVINST 5100.19 series (NAVOSH Afloat)

- Occupational Safety & Health for the Fleet
- Chapter B4 covers HCP
- Not significantly different from OPNAVINST 5100.23 series



Navy and Marine Corps Instructions (cont.)

MCO 6260.1 series:

- **Marine Corps Order which implements the HCP within US Marine Corps**
- **Similar to NAVOSH Ashore, although there are a few significant differences**
 - **A major difference is USMC enrolls in HCP based on Military Occupation Specialty (MOS) vice TWA**
 - **When supporting USMC, normally cite USMC**



NEHC Technical Manual 6260.51.99 series

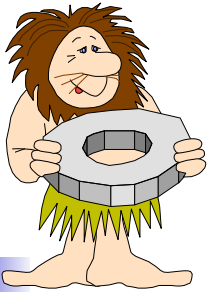


- **Navy Medical Department Hearing Conservation Program Procedures Manual**
- **Provides detailed guidance for Medical Department personnel to support the program requirements identified in the OPNAV Instructions**
- **Listed as major reference in 5100.19 & 23 series, as well as MCO 6260 Series**
- **Replaces/cancels BUMEDINST 6260.5**

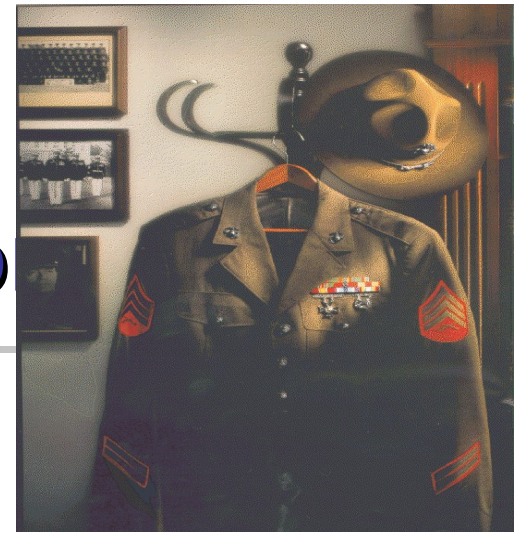
Service-Specific Regulation Information

- Each service regulation discusses:
 - Overview of the HCP and its elements
 - Responsibilities of those involved in implementation of the HCP
 - Fitness for duty issues
 - Forms and processes involved in hearing conservation
 - Evaluation of statistics on the effectiveness of hearing conservation programs

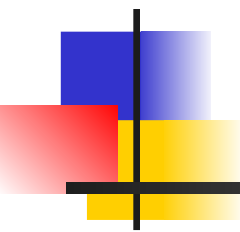




Local Regulation



- **Installation-level implementing instructions often used to specify local HCP policies**
- **Standard Operating Procedure (SOP) required at most MTFs**
 - **Excellent evidence for inspection teams**
 - **JCAHO looks for them**
- **Continuing education and assurance of proficiency for audiometric technicians are required by JCAHO and military services**



Hearing Loss Compensation



Cost of Hearing Loss for All Veterans

Millions

1977-2005

\$786,048,420*

Total = \$7,484,419,681

Major VA Disability Only

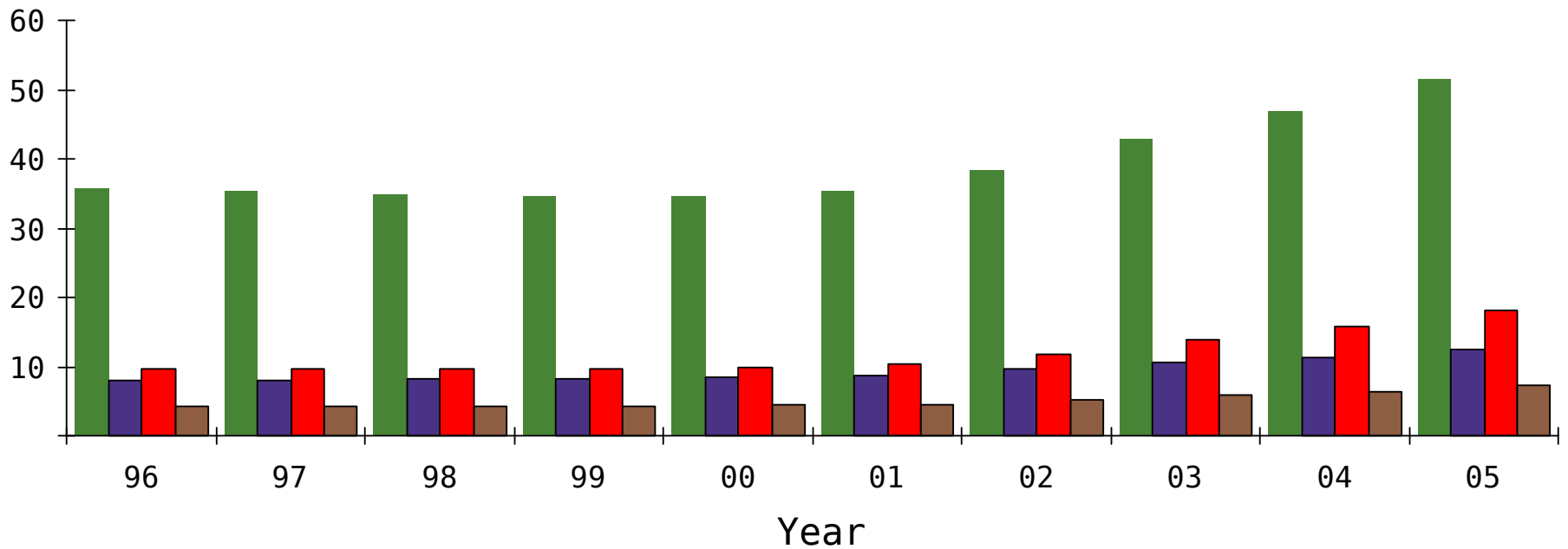
*Tinnitus disabilities
(\$418,390,428) not included in
annual total



Veterans Hearing Loss Disability Cases 1996-2005

<u>2005</u>	
Army	51,621
Air Force	12,477
Navy	18,135
Marine Corps	7,308

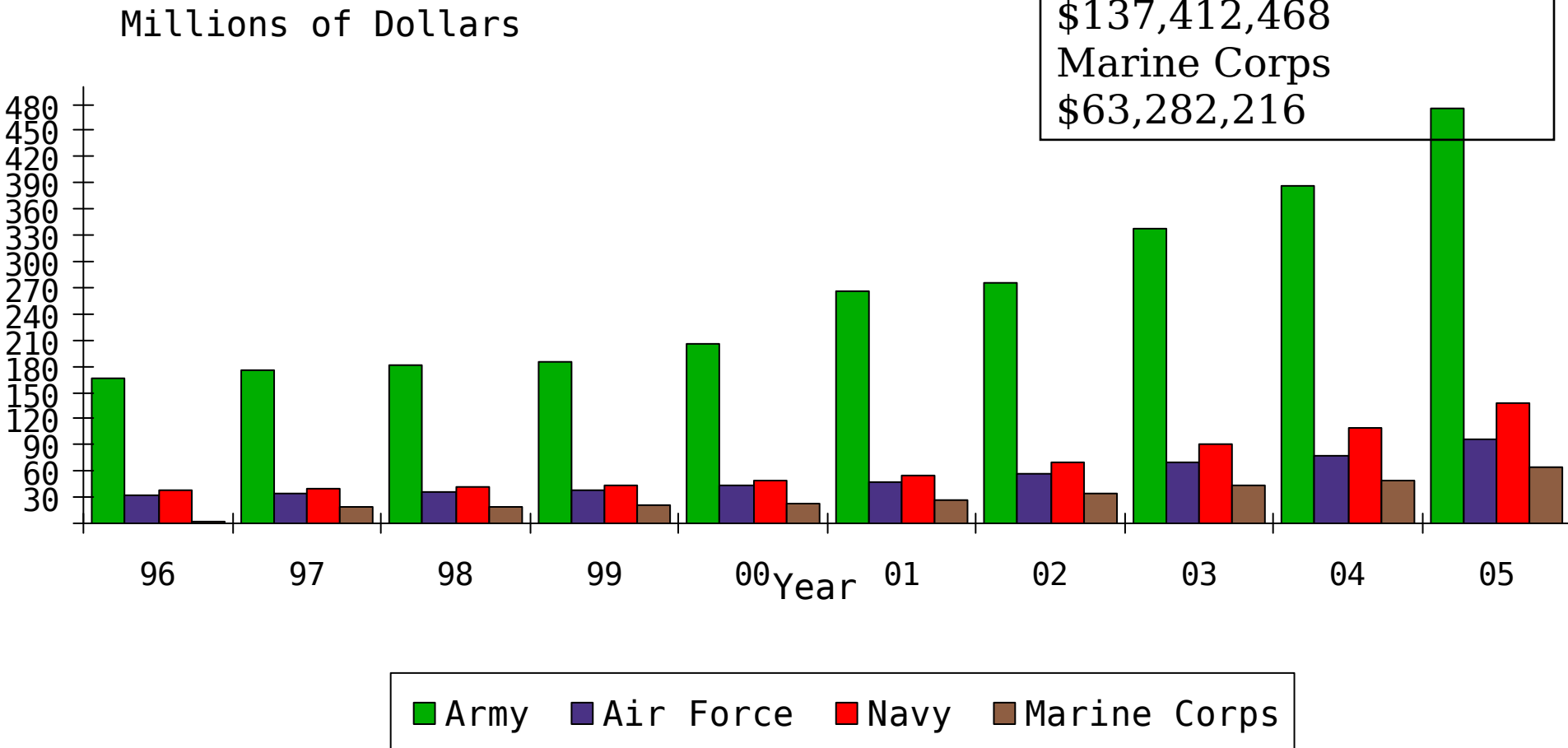
Thousands of Cases



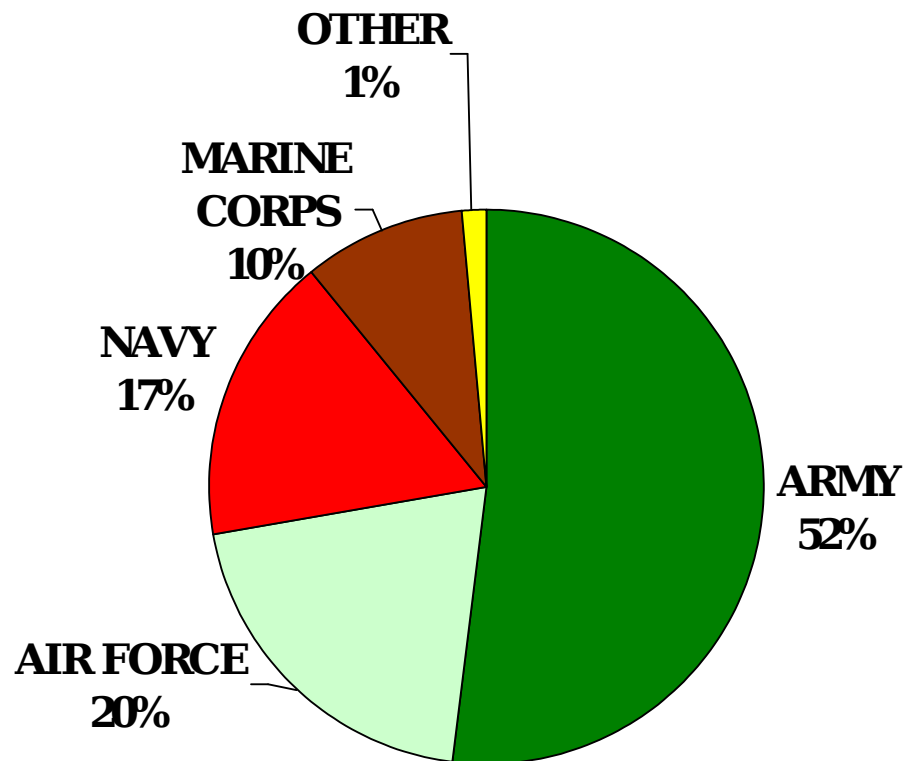
■ Army ■ Air Force ■ Navy ■ Marine Corps

Hearing loss major disability

Veterans Hearing Loss Disability Costs 1996-2005



Veterans Hearing Loss Disability Cases 2005

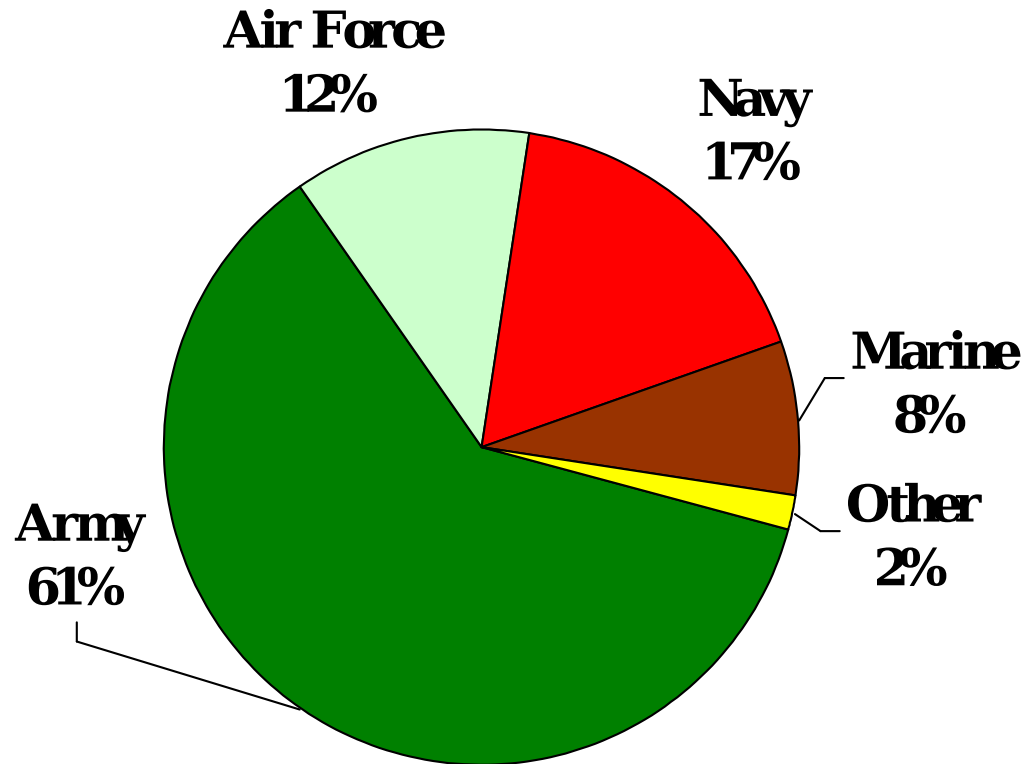


Major and less than major disability

***Total Cases =
413,606***

The category Other includes USCG, WAC, AAC, & ALL OTHER

Veterans Hearing Loss Disability Costs 2005



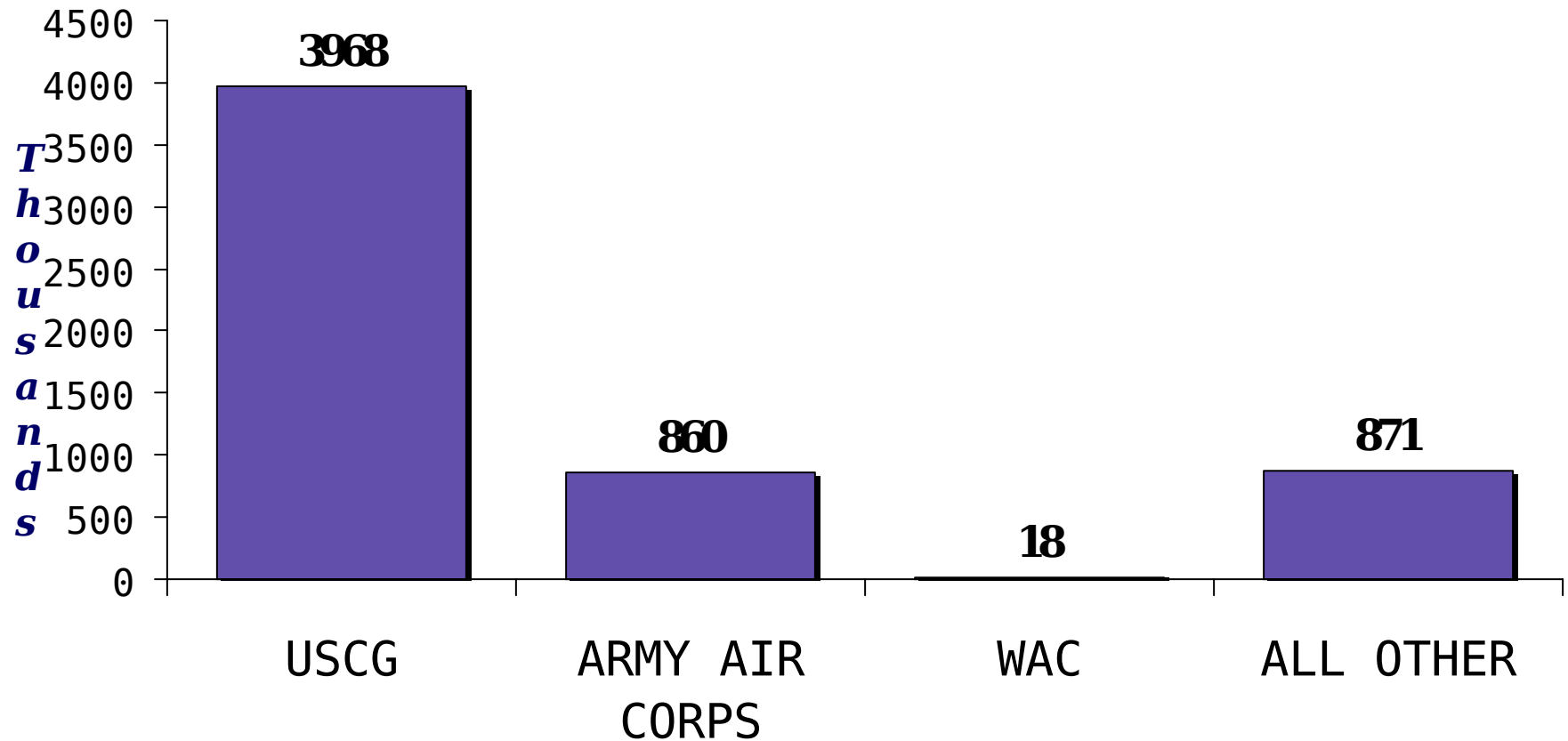
Major disability only

***Total =
\$786,048,420***

Other includes USCG, WAC, AAC, and All Other

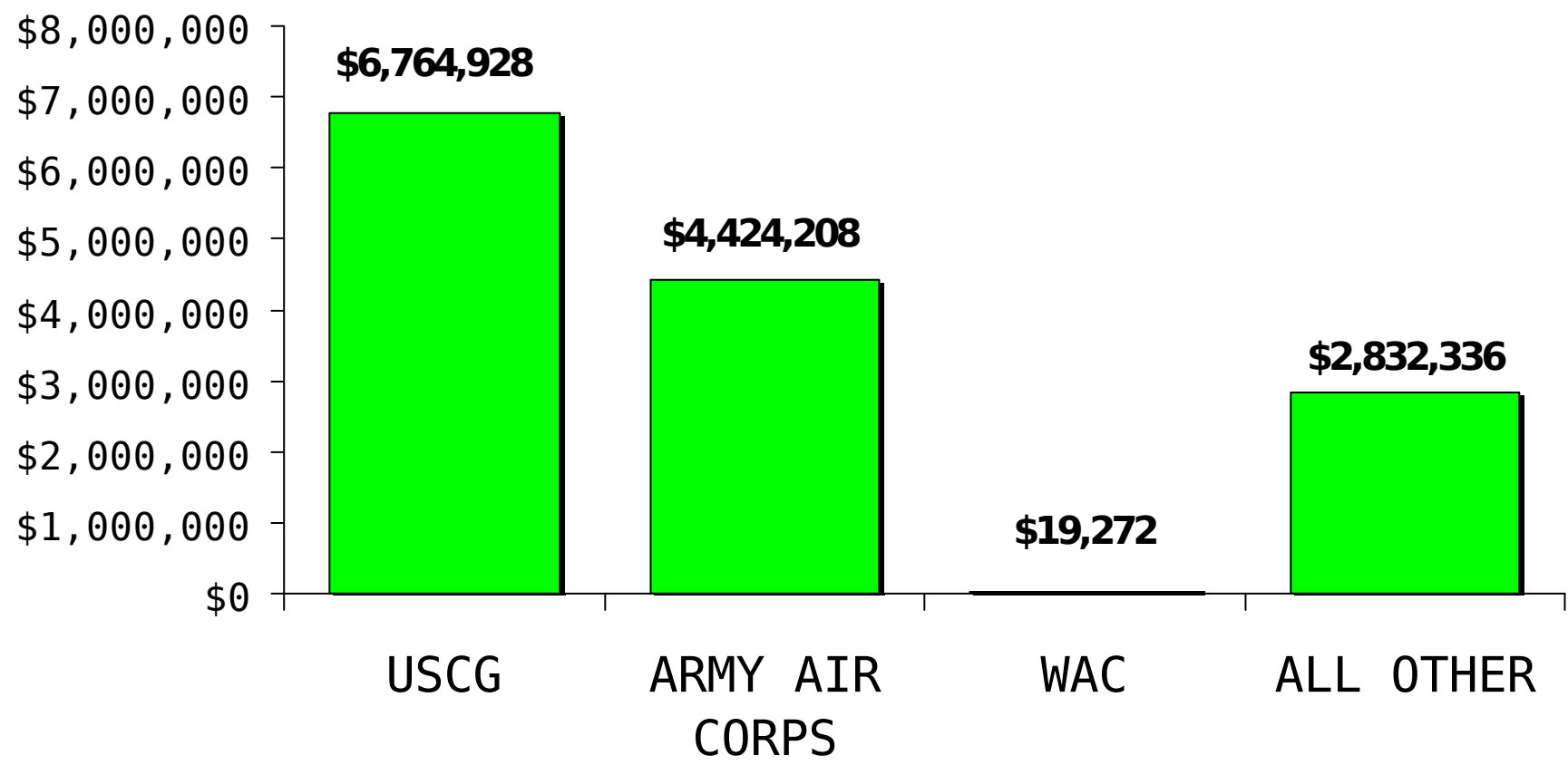
Veterans Hearing Loss Disability Cases 2005

Other



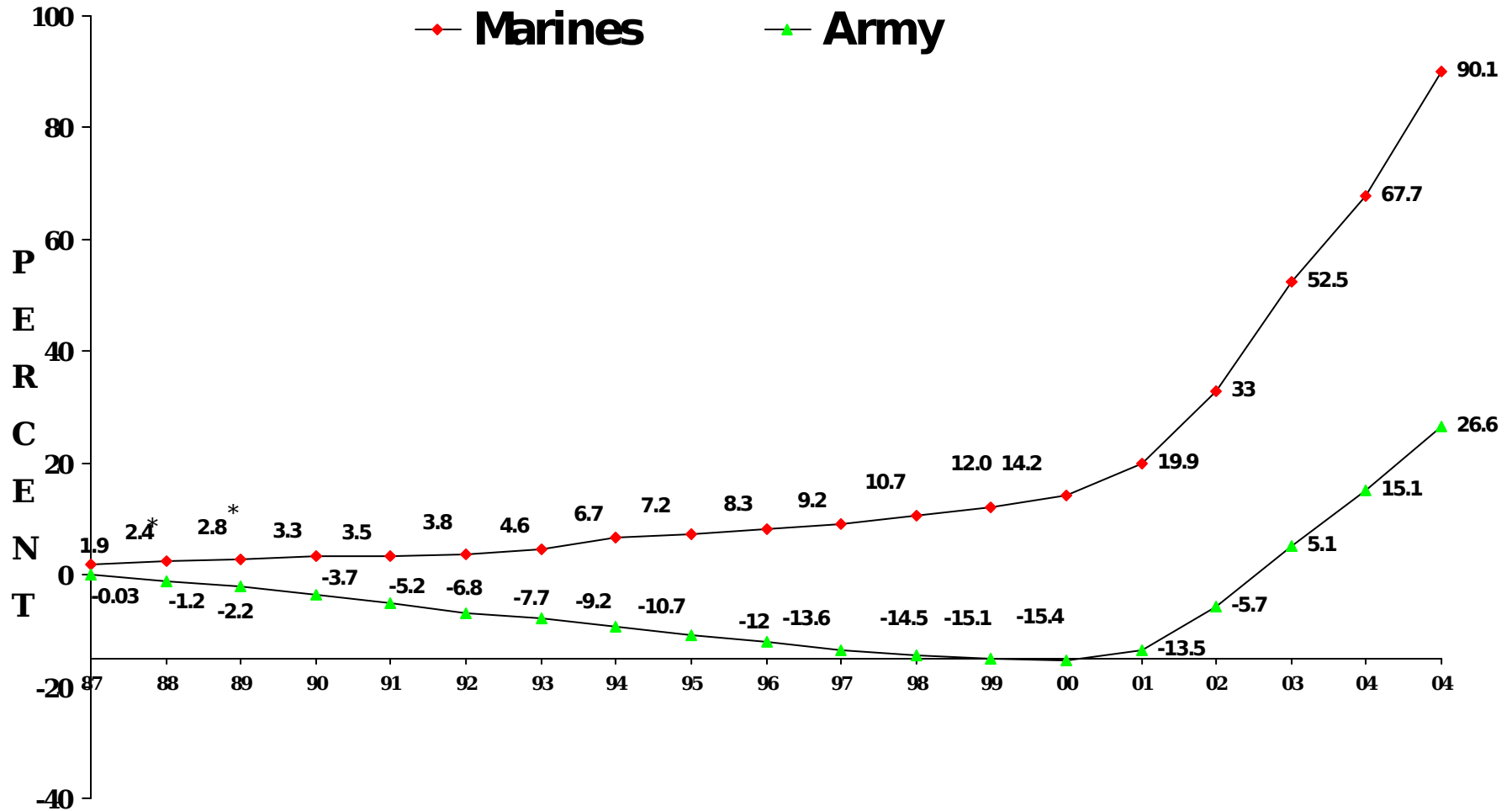
Major and less than major disability

Veterans Hearing Loss Disability Other Costs 2005



Major and less than major disability

Army/Marine VA Major Hearing Loss Disability Cases Percent of Change Since 1986



*Extrapolated

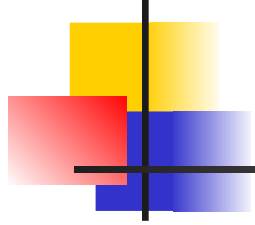
Much Expense!



Much Handicap!

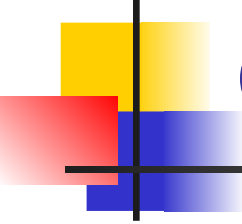
Prevent it by:

- Accurate monitoring audiometry and conscientious follow-up
- Careful fitting/re-fitting and effective counseling when TTS & PTS are identified
- Meaningful health education, including discussion on off-duty hearing loss prevention
- Enforced use of HPDs at all levels of responsibility
- Successful HCP Mgmt, using compliance, STS & follow-up statistics to enhance program effectiveness



Civilian Compensation

- OWCP determines civilian compensation amounts.
- Awards millions in HL claims each year.
- Compensation is more liberal for federal employees than state or private compensation programs.
- Professional review of each claim is a must.



Civilian Compensation, con't.

- Compensation should only be awarded to those who are truly exposed to noise hazards at work ($>84\text{dBA TWA}$)
- No awards for hearing loss that is not a result of noise-induced etiology.
- Award is only for the portion of loss suffered during federal employment.

Civilian Compensation, con't.

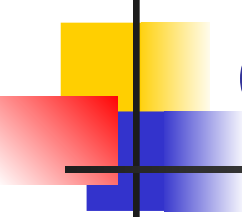
- Calculation Factors for civilian workers:
 - Thresholds at 500, 1k, 2k & 3kHz
 - Monaural or binaural loss
 - Employee's current salary
 - Employee status of dependents
- Formula Factors
 - % Monaural loss
 - % Binaural loss
 - # Weeks of compensation
 - Weekly salary



Civilian Compensation Formula

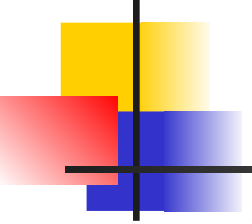
See example in workbook

- Find the 4 frequency average (500, 1k, 2k, 3kHz)
- Subtract 25 (threshold level of normal hearing)
- Multiply that by 1.5 to get % monaural loss
- Repeat for the other ear
- Multiply better ear by 5, add this to poorer ear & divide by 6 to get % binaural loss
- Multiply % binaural loss by 2 for # wks compensation
- Multiply salary by 75% if there are dependents or by 66% if no dependents to get applicable salary amount
- Multiply # wks compensation by salary amount



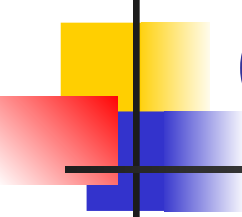
Civilian Compensation, con't.

- Total award is determined by OWCP and is a one-time award.
- Additional award can be provided if condition is aggravated.
- Prohibits collecting from multiple employers for same loss concurrently (VA & OWCP)



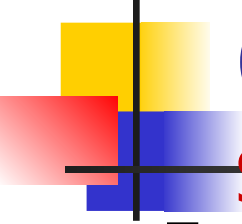
Military Compensation

- Veteran's Administration determines compensation for military members.
- Member can file for disability upon termination of service or awarded disability from a medical board.
- A disability rating is determined to establish the degree of handicap.
- Multiple conditions yield a cumulative percentage.
- Ratings of 10% or more result in a preference for being hired for civil service employment.



Military Compensation, Con't.

- Factors for calculating compensation
 - Thresholds at 1, 2, 3, & 4kHz
 - Discrimination/Word recognition test
 - Salary
 - Age
 - Medical Board Findings
 - Award is provided through lifetime payments, often as tax exemption on retirement pay

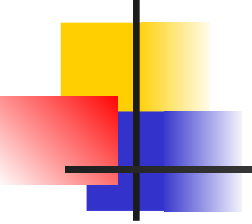


Military Compensation, Con't.

See example in workbook

- Formula

- Find the 4 frequency avg (1-4kHz)
- Obtain word recognition scores
- Using VA table IV, locate where 4 freq avg meets with word recognition scores for both ears
- Using VA table VII, find the percentage of hearing impairment
- The percent hearing impairment indicates the percentage of monthly salary to be received for life



Factors for Decreasing Compensation Costs

- Effective engineering controls and noise abatement
- Hearing conservation education (including recreational activities)
- Audiometric monitoring for early identification of hearing changes
- Enforcement of HPD use

QUESTIONS???

